

Combined Tally List

and

Official Returns

FOR

WEST SIDE SEWER

DISTRICT

ELECTION

HELD IN ELMORE COUNTY

NOVEMBER 6, 2007

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TALLY LIST

Tally Thus: ~~||||~~

YES	10		20		30		40		50		60	
	5	5	5	5	5	5	5	5	5	5	5	5
								1				
NO	10		20		30		40		50		60	
	5	5	5	5	5	5	5	5	5	5	5	5

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OFFICIAL RETURN

At an Election held in Elmore County, State of Idaho, on the 6th day of November, 2007, the following number of votes were received for YES and the following number of votes were received for NO, to-wit:



NOTE – The number of votes must be expressed at full length (spelled out).

YES has received (36) Thirty-Six votes.

NO has received Seven (7) votes.

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Certified By Us this 6 day of NOVEMBER, 2007

We hereby certify that the number of electors voting at this election amounts to

Attest:

Clerk of Election

Judge or Deputy Clerks of Election:

[Signature]
Adelia Loomis
Clarence Worthen
Gregory Loomis

Judge or Deputy Clerks of Election:

NOTICE

Please fill out the following:

The Ballot Box for this election is in the possession of West Side Sewer Dist.

The Spoiled Ballots for this election are in the possession of 0

Don Pachner
Clerk of Election

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AGREEMENT RE: WEST SIDE SEWER DISTRICT

This AGREEMENT RE: WEST SIDE SEWER DISTRICT, dated this 29th day of June, 2007 is entered into by and between the CITY OF MOUNTAIN HOME, IDAHO, a municipal corporation of the County of Elmore, State of Idaho, which is hereinafter referred to as "City", and the WEST SIDE SEWER DISTRICT, a sewer district organized and existing under Chapter 32, Title 42, Idaho Code, and lying in part adjacent and contiguous to, and in part within, the geographical boundaries of the City, which is hereinafter referred to as "District".

WITNESSETH:

WHEREAS, District provides sewer collection and conveyance services for its residents; and

WHEREAS, City provides waste treatment services for its residents and for residents of District; and

WHEREAS, the parties have entered into agreements over time that attempt to fairly apportion between the parties the costs of collecting, transporting and treating the waste of the District's residents; and

WHEREAS, the parties recognize and acknowledge the continued need for the collection, conveyance and treatment of waste for the District's residents; and

WHEREAS, the parties desire to simplify the services provided to the District's residents and thereby save costs that would otherwise be incurred by both parties; and

WHEREAS, the parties acknowledge that one method of simplifying services to the District's residents is to transfer certain assets of the District to the City, and dissolve such

portion of the District pursuant to I.C. §42-3239; and

WHEREAS The City has requested that the District dissolve either in whole or in part to assist the City in the provision and simplification of services to and for residents of both the City and the District; and

WHEREAS, the parties understand that to accomplish such dissolution, the portion of the District to be dissolved must first be established as a subdistrict pursuant to the election procedures provided in I.C. §42-3218A.

NOW, THEREFORE; in consideration of the mutual promises and Covenants herein contained, the parties agree to the following:

1. Subdistrict Election. The District will hold an election pursuant to I.C. §42-3218A to propose the creation of a subdistrict within the District that is bounded as follows:

See Exhibit "A"

The purpose of the election will be to establish a subdistrict that can then be dissolved into the City pursuant to I.C. §42-3239. Such purpose shall be made clear in any and all notices published regarding such election. Successful passage of the Subdistrict by election is a condition precedent to all remaining provisions in this agreement. Upon successful passage of the Subdistrict, and its subsequent successful dissolution, the District will exist only within the current unincorporated areas of Elmore County.

2. City Capable of Providing Essential Functions to Subdistrict Citizens. The parties certify that the following conditions exist:

(a) the City is capable of providing the essential functions of the District to the subdistrict's citizens.

(b) the City has agreed to assume and perform the essential function of the District for the Subdistrict's citizens.

(c) The City has sufficient assets, infrastructure, and other resources to perform the essential functions of the District for the Subdistrict's citizens.

3. **Procedure After Election.** Upon the anticipated passage of the Subdistrict by the proposed subdistrict's citizens, the District shall publish notice, hold a hearing, and otherwise take all actions required by I.C. §42-3239 to dissolve the Subdistrict, and enable the City to take over all functions of the District with respect to the Subdistrict's citizens, provided however, that the parties understand and acknowledge that pursuant to the provisions of I.C. §42-3239, a second election may be necessary to determine whether the Subdistrict should be dissolved; in which case successful passage of the Subdistrict's dissolution pursuant to the second election is a condition precedent to all remaining provisions in this agreement.

4. **Maintenance of Remaining District Sewer Lines.** After the expected dissolution of the Subdistrict, City shall maintain all remaining District sewer lines, which maintenance shall include: regularly scheduled cleaning and television camera surveys as needed of the remaining portion of the District's lines as determined by the City's engineer. Major repair, replacement or capital expenditure or improvement of the District's sewer collection system shall be by and at the expense of the District.

5. **Maintenance Charge to District.** In consideration of the maintenance of the sewer collection system of the remaining portion of the District (after the expected dissolution of the Subdistrict contemplated herein) as provided in paragraph 4 above and the acceptance of the sewage collected in the District's system by the City and the treatment and disposal of the same,

the District shall pay to the City the sum of \$3.00 per month for each Equivalent Dwelling Unit ("EDU"), as defined by the City's ordinances, for which the District collects and transports sewage to City. This sum may, at the City's option, be increased two years from the date of this Agreement, and every two years thereafter, in accordance with increases in the federal Consumer Price Index that occur from the date hereof. The Consumer Price Index shall mean the average for All Urban Consumers, U.S. City Average, All Items, as published by the United States Department of Labor, Bureau of Labor Statistics.

6. No Waste Treatment Charge. After the expected dissolution of the Subdistrict contemplated herein, City agrees that it will not charge the District or any District residents any waste treatment charge, or any monthly charge other than that specified in paragraph 5 hereinabove, except for any portion of the sewer connection fee to be paid to the City pursuant to Paragraph 8 of this Agreement.

7. Potential Replacement of District Lines Used by the City. The parties recognize the possibility that the District's lines may be used by the City for the collection and transportation of waste by both the City and the District. In the event that such lines need any major repairs, or need to be replaced in the future, the City and District agree to negotiate in good faith over such replacement costs.

8. New Hookup Fees Collected by District. After the expected dissolution of the Subdistrict contemplated herein, the District will charge a fee for new hookups to its system that is equal to the fee charged by the City for new hookups to its system. All new hookup fees collected by the District will be turned over to the City.

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9. New Development Within District Boundaries. After the expected dissolution of the Subdistrict contemplated herein, all new development within the District must go through the District's approval process. If any new development is denied a permit to hook up to the District's sewer collection and conveyance system, the developer/landowner may approach the City to request annexation and service through the City's sewer collection and conveyance system.

10. Reservation of Capacity for the District. After the expected dissolution of the Subdistrict contemplated herein, the City and the District agree to reserve a capacity of 100 EDUs, as defined by City ordinances, for expansion to be permitted by the District. The District shall regularly report to the City regarding expansion permitted by the District. As EDUs are added within the District, the capacity reserved for the District shall be reduced accordingly.

11. Funds for Future Expansion. After the expected dissolution of the Subdistrict contemplated herein, monies that are held by the City on behalf of the District to fund future expansion of the City's waste treatment system shall be turned over to the City for that purpose. Likewise, monies that are held by the District in the amount of \$83,510.00 for the purpose of funding future expansion of the City's waste treatment system shall also be turned over to the City for that purpose. Neither the remaining portion of the District nor its citizens shall have any obligation to fund future expansion of the City's waste treatment system, except for any part of the City's standard hook up fee that may be applicable to future expansion of the wastewater treatment system.

12. District's Legal Fees. The parties shall split the legal fees incurred by the District for any and all meetings, research, preparation and drafting related to this Agreement,

along with any and all legal fees related to the creation and dissolution of a Subdistrict within the District as follows: 90% of such fees shall be paid by City, 10% of such fees shall be paid by District.

13. Annexation of District Lands by City. In the event that the City annexes the portion of the District that is currently located in the unincorporated areas of Elmore County, the District agrees, after making the proper findings and following the proper procedures as provided by law, to take steps permitted by law to dissolve the District as is provided for in I.C. §42-3239.

14. Duty of Good Faith. Each of the parties to this Agreement agrees to perform and execute this Agreement in accordance with the highest standards of good faith, honesty in fact, and fair dealing. Accordingly, the Parties agree to cooperate fully and execute any and all supplemental documents and take any and all additional actions which may be necessary or appropriate to give full force and effect to the terms and intent of this Agreement.

15. Fees and Costs. In the event that a party hereto shall be required to secure legal services or advice to enforce any of their respective rights, duties or obligations hereunder, with or without litigation, the successful party with respect to such enforcement shall be entitled to recover, in addition to all other remedies, reasonable attorney fees and costs.

16. Binding Effect of Agreement. This Agreement is binding upon and inures to the benefit of the parties hereto and their respective successors, assigns, heirs, executors, administrators and representatives.

17. Exhibits. All exhibits referenced herein and attached hereto are incorporated into and made a part of this Agreement as if expressly and fully set forth in the body of this Agreement.

18. **Entire Agreement.** This Agreement is intended to supersede all prior written agreements between the parties. As such, this Agreement, including the recitals herein above set out, constitutes the entire agreement of the parties hereto with respect to the matters contained herein, and no prior agreement, communication, or understanding pertaining to any such matter, shall be effective for any purpose.

19. **Duplicate Originals.** This Agreement shall be executed in duplicate originals, with each page, including exhibits, initialed by each party, and each party shall retain one (1) original of the Agreement.

20. **Notices.** All notices provided for in this agreement shall be in writing and addressed as follows:

City Clerk
City of Mountain Home
P.O. Box 10
Mountain Home, ID 83647

West Side Sewer District
c/o Charles L. Honsinger
P.O. Box 2773
Boise, ID 83701-2773

In the event either party changes its mailing address, it shall immediately notify the other party in writing of the change.

IN WITNESS WHEREOF, the parties hereto have dated and set their hands.

DATED this 29th day of June, 2007.

CITY OF MOUNTAIN HOME, IDAHO, a
municipal corporation

By

Joe B. McNeal
JOE B. McNEAL, MAYOR

ATTEST:

Lina Patterson
City Clerk



DATED this 2nd day of July, 2007.

WEST SIDE SEWER DISTRICT, a sewer
district

By

Don Pachner
Don Pachner, Chairman

ATTEST:

Linnis Foyner
District Secretary

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STATE OF IDAHO)
) ss.
County of Elmore)

On this 29th day of June, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Joe McNeal and Nina Patten, known or proven to me to be, respectively, the Mayor and Secretary of the City of Mountain Home, Idaho, who executed this agreement on behalf of the City, and acknowledged to me that the City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Sue A. Moore
Notary Public for Idaho
Residence: Mountain Home
My commission expires: 02/09/08

STATE OF IDAHO)
) ss.
County of Elmore)

On this 2nd day of July, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared Don Pachner and Linnie Puyler, known or proven to me to be, respectively, the Chairman and Secretary of the West Side Sewer District, who executed this agreement on behalf of the District, and acknowledged to me that the District executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(SEAL)

Linnie Puyler
Notary Public for Idaho
Residence: Mountain Home
My commission expires: 1-20-10

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CHARLES L. HONSINGER (ISB #5240)
RINGERT CLARK CHARTERED
455 South Third Street
P.O. Box 2773
Boise, ID 83701-2773
Telephone: (208) 342-4591
Facsimile: (208) 342-4657

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2007 Dec 31 AM 9:11

MARSA GRIMMETT
DEPUTY CLERK OF THE COURT
(S)

Attorneys for West Side Sewer District

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE

IN THE MATTER OF CONFIRMATION OF
CREATION AND SUBSEQUENT
DISSOLUTION OF WESTSIDE SEWER
DISTRICT SUBDISTRICT

ORDER CONFIRMING CREATION AND
SUBSEQUENT DISSOLUTION OF WEST
SIDE SEWER DISTRICT SUBDISTRICT

Instrument # 394500
Elmore County, Idaho
11:20am Jan. 04, 2008
For: WEST SIDE SEWER DISTRICT
No. of Pages: 17 Fee: \$00
MARSA GRIMMETT, Recorder
Deputy: DLE

ORDER

This Court, having reviewed the Petition for Order Confirming Creation and Subsequent Dissolution of West Side Sewer Subdistrict together with all attachments submitted by Petitioner West Side Sewer District, and being fully apprized of this matter, hereby ORDERS that the creation and subsequent dissolution of the Subdistrict of the West Side Sewer District, for which the boundaries are set forth in Exhibit "A" attached hereto, is hereby APPROVED as of January 1, 2008.

District Judge

MICHAEL WETHERELL

ORDER CONFIRMING CREATION AND SUBSEQUENT
SEWER SUBDISTRICT- Page 1

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STATE OF IDAHO
COUNTY OF ELMORE
I hereby certify that the foregoing instrument is a true and correct copy of the original on file in this office.

Marsa Grimmert, Clerk

By

Deputy

CERTIFICATE OF SERVICE

The undersigned does hereby certify that on the 31st day of December, 2007 they caused a true and correct copy of the within and foregoing document to be served on the following

Charles L. Honsinger
Ringert Clark, Chartered
P.O. Box 2773
Boise, ID 83701

City of Mountain Home
160 South 3rd East
Mountain Home, ID 83647

Secretary
Westside Sewer District
P.O. Box 717
Mountain Home, ID 83647

Mr. Jay Friedly
Hall Friedly & Ward
340 E. 2nd. N.
Mountain Home, ID 83647

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BS
District Court Clerk

Exhibit A

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EXHIBIT A

WESTSIDE SEWER SUBDISTRICT BOUNDARY

The areas located within the boundaries of the West Side Sewer District being all the lots in the following subdivisions and being the following individual tracts of land located in the SE ¼ of Section 26, T.3S., R.6E., B.M., Elmore County, Idaho and in Section 35, T.3S., R. 6E., B.M., Elmore County, Idaho more particularly described as the following:

Subdivisions:

Patriot #1 Subdivision
Patriot #2 Subdivision
Withrow Subdivision
Amos Subdivision
Amanda Rae Subdivision
Cotton Wood Estates Subdivision
Saldon Subdivision
Tanglewood Subdivision
West Wind Subdivision/ West Wind Manufactured Home Park
Sunrise Park #3 Subdivision
Rolling Hills # 1 Subdivision
Rolling Hills #2 Subdivision
Rolling Hills #3 Subdivision
Rolling Hills #5 Subdivision
Eagle Crest Subdivision
Meadows Mobile Park

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Individual Tracts of Land:

Skyview Terrace Apartments:

The North ½ of the East ½ of Lot 66 Garrett Addition to Mountain Home, Located in Section 26, T.3S., R.6E., Boise Meridian, Elmore County, Idaho as the same appears on the official plat thereof, on file and of record, in the office of the county Recorder of Elmore county, Idaho more particularly described as follows:

Commencing at a brass cap marking the southeast corner of Section 26, T.3N., R.6E., B.M., Elmore County, Idaho; thence N 89° 24' 39" W along the southerly line of said Section 26, 1,330.91 feet to a point on the center east 1/16th line; thence N 00° 04' 02" E along said 1/16th line 2,282.47 feet to a point, said point being where the extension of the line dividing the north half and the south half of the above mentioned Lot 66 intersects said 1/16th line; thence N 89° 36' 32" W along said extension line 20.00 feet to an iron pin on the east boundary line of Lot 66, said point being the REAL POINT OF BEGINNING:

Thence continuing N 89° 36' 32" W along said line, 643.91 feet to an iron pin, said pin marking the center of Lot 66; thence N 00° 07' 16" W along the center North-South line of Lot 66, 328.59 feet to an iron pin on the north boundary of Lot 66, said line also, being

the southerly right-of-way of West 5th North Street; thence S 89° 38' 19" along said line, 644.99 feet to an iron pin, said pin marking the northeast corner of Lot 66; thence S 00° 04' 02" W along the east line of Lot 66, 328.92 feet to the REAL POINT OF BEGINNING. Said parcel contains a calculated area of 4.86 acres, more or less.

LIC Apartments:

A Portion of Lot 36 Garrett Addition to Mountain Home, Lying in the SW ¼ of Section 26, T.3S., R.6E., B.M., Elmore County, Idaho; described as follows:

A part of lot 36 of the vacated Garrett Addition to the City of Mountain Home, Idaho described as Parcel "A" with 162.5 feet of frontage on Foster Avenue. This parcel commences 150 feet east of the S.W. corner of Lot 36 (the point of beginning) and continues 162.5 feet in an easterly direction along Foster Avenue, then north 257 feet, then east 300 feet, then north 43 feet, then west 462.5 feet, then south 300 feet to the point of beginning, a parcel of land approximately 1.8 acres, more or less.

#

TAX CODE 5, OWNER: Affordable U-Stor-It LLC as of June 2007

A parcel of land lying in the S ½ S ½, NE ¼ SE ¼, Section 27, T.3S., R.6E., B.M., Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking corner common to Sections 27, 26, 35, and 34, T.3S., R.6E., B.M., Elmore County, Idaho, thence, N 0° 29' 30" E. 1313.39 feet along the line common to said sections 27 and 26 to the South 1/16 corner common to said Sections 27 and 26, said point being the REAL POINT OF BEGINNING; thence N. 89° 52' 57" W. 138.00 feet along the South line of said NE ¼ SE ¼ of Section 27; thence, N. 0° 29' 40" E. 100.00 feet, thence, S. 89° 52' 57" E. 138.00 feet to said line common to Sections 27 and 26; thence S. 0° 29' 40" W. 100.00 feet to the REAL POINT OF BEGINNING.

#

TAX CODE 147, OWNER: Three Amigos LLC as of June 2007:

A tract of land located in Block 15 of Garrett's Addition to Mountain Home, in Section 26, Township 3 South, Range 6 East, Boise Meridian, and running thence North 0° 34' 15" East along the 16th line a distance of 400.93; thence North 88° 55' West a distance of 30 feet to the real point of beginning; thence continuing from the real point of beginning North 88° 55' West 72 feet; thence South 88° 55' East 255.14 feet; thence North 0° 34' 15" East 72 feet to the point of beginning;

TOGETHER with all rights to vacated alleys or streets appurtenant to said property.

#

TAX CODE 103, OWNER: Thomas R. Kodesh as of June 2007

Commencing at the NE corner of Lot 40 Garrett's Addition to Mtn. Home, then South along East boundary line of said Lot 180.8 ft., then West 180.8 ft., then North 180.8 ft., then East 180.8 ft. to the beginning. Appr. .75 acre

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TAX CODE 108, OWNER: Three Amigos LLC as of June 2007:

Commencing at the NE corner of said lot 16 of Garrett's Addition, and running thence South 120 feet; thence West 250 feet; thence North 120 feet; thence East 250 feet to the point of beginning.

~~##~~
TAX CODE 144, OWNER: Raymond E. & Donna R. Hale as of June 2007:

Commencing at the point where the East sideline of Block 16 Garrett's Addition to Mountain Home, as the same appears upon the official plat thereof on file and of record in the office of the County Recorder of Elmore County, Idaho, intersects the North right-of-way line of State Highway No. 51 a distance of 255.18 feet; running thence North 0° 34.25' East 255.16 feet, more or less, to the East boundary line of said Block 16; running thence South along the east boundary line of said Block 16 a distance of 160.92 feet, more or less, to the point of beginning;

TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

~~##~~
TAX CODE 265, OWNER: Roy W. & Evelyn Brown as of June 2007:

A parcel of land lying in Lot 16, Garrett Addition, Mountain Home, Idaho, Elmore County, Idaho, According to the official Plat thereof on file and of Record in the office of the County Recorder of Elmore county, Idaho being located in SE ¼ of Section 26, T35, R6E, B.M., and being more particularly described as follows:

Commencing at a point marking the corner common to Sections 25, 26, 35, and 36, T3S, R6E, B.M., thence N 88° 52' 28" W. 1615.20 feet along the South Line of said Section 26, thence N 0° E. 40.07 feet to a point on the North Right of Way line of State Highway 51, said point being the Point of Beginning: Thence North 88° 53' 04" W. 150.00 feet along said Right of Way Line; thence N 0° 34' 15" E. 200 feet; thence S 88° 55' 00" E. 150 feet; thence S 0° 34' 15" W 200 feet to the Point of Beginning.

~~##~~
TAX CODE 266, OWNER: R.E.B. Family Trust as of June 2007:

A Parcel of land Lying in Lot 16, Garrett Addition, Mountain Home, Elmore County, Idaho, according to the official Plat thereof on file and of Record in the office of the county Recorder of Elmore County, Idaho, being located in the SE ¼ of Section 26, T3S, R6E, B.M. and being more particularly described as follows:

Commencing at a point marking the corner common to sections 25, 26, 35, and 36, T3S, R6E, B.M.; thence North 88° 52' 28" West 1615.20 feet along the South line of said Section 26; thence North 0° 34' 15" East 40.07 feet to a point on the North Right of Way Line of State Highway 51, thence North 88° 53' 04" West 150.00 feet along said Right of Way Line to the True Point of Beginning; thence North 0° 34' 15" East 200 feet, thence North 88° 55' 00" West 80 feet, thence South 00° 34' 15" West 200 feet, thence South 88° 53' 04" East 80 feet to the point of Beginning.

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TAX CODE 171, OWNER: Lonnie Black as of June 2007:

A parcel of land lying in lot 16 Garrett Addition to Mountain Home, located in the SE $\frac{1}{4}$ of Section 26, T.3S., R.6E., B.M., Elmore County, Idaho and being more particularly described as follows;

Commencing at a point marking the corner common to Sections 25, 25,35, and 36, T.3S., R.6E., B.M., thence N. $88^{\circ} 52' 28''$ W. 1615.20 feet along the South line of said Section 26; thence N. $0^{\circ} 34' 15''$ E. 40.07 feet to a point on the north right of way line of State Highway 51, said point being THE POINT OF BEGINNING; thence N. $0^{\circ} 34' 15''$ E. 280.65 feet; thence S. $88^{\circ} 55' 00''$ E. 250.00 feet; thence S. $0^{\circ} 34' 15''$ W. 280.79 feet to the point of beginning, comprising 1.61 acres, more or less.

~~#~~
TAX CODE 102, OWNER: Rodger A. Van Meer as of June 2007:

Commencing at the corners common to Sec. 26,27,34,35, 3S 6E., then South $89^{\circ} 31'$ East 1282.7 feet. And North 40 feet to true point of beginning running, Thence North $0^{\circ} 16'$ West along the West side of Proposed roadway right of way 292 feet, then North $89^{\circ} 31'$ West 149.15 feet, then South $0^{\circ} 16'$ East 149.15 feet to beginning.

~~#~~
TAX CODE 273, OWNER: Rodger A. & Sharyl Van Meer as of June 2007:

Section 26: A parcel of land located in a portion of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section, more particularly described as follows:

Commencing at a brass cap monument marking the SW corner of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, thence along the South line of said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ S. $89^{\circ} 21' 32''$ E. a distance of 983.55 feet to a point from which a brass cap monument marking the SE corner of said SW $\frac{1}{4}$ bears S. $89^{\circ} 21' 32''$ E. a distance of 1666.42 feet thence leaving said South line N. $00^{\circ} 38' 28''$ E., formerly N. $00^{\circ} 06' 32''$ W., formerly N. $00^{\circ} 16' 00''$ W. a distance of 170.00 feet to a $\frac{1}{2}$ inch rebar marking the Point of Beginning.

Thence continuing N. $00^{\circ} 06' 32''$ W. a distance of 120.00 feet to a $\frac{1}{2}$ inch rebar; Thence parallel with said South line S. $89^{\circ} 21' 32''$ E., formerly S. $89^{\circ} 31' 00''$ E, a distance of 150.00 feet to a point that falls within a fence post and from which a $\frac{5}{8}$ inch rebar reference monument marking said point bears N. $78^{\circ} 40' 44''$ W., a distance of 1.00 foot; Thence S. $00^{\circ} 06' 32''$ E., formerly S. $00^{\circ} 16' 00''$ E., a distance of 120.00 feet to a $\frac{1}{2}$ inch rebar; Thence parallel with said South line N. $89^{\circ} 21' 32''$ W. a distance of 150.00 feet to the Point of Beginning.

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~~TAX CODE 140~~, OWNER: **David L. & Mary Tapp as of June 2007:**

Part of the SW1/4SW1/4 of Sec. 26 T 3S R 6E, Boise Meridian, Elmore County, Idaho bounded and described as follows:

Commencing at the Section Corner common to Sections 26,27,34,35, T 3S, R6E, Boise Meridian, Elmore County, Idaho; and running thence South 89° 31' East 833.55 feet to a point; thence North at right angles to the last described line a distance of 40 feet to a point on the North right of way line of State Highway 51, thence South 89° 31' East 15 feet to the REAL POINT OF BEGINNING; thence North 0° 16' West 150 feet to a point; thence South 89° 31' East 135 feet to a point; thence South 0° 16' East 150 feet to a point of the North right of way line of said State Highway 51, thence North 89° 31' West along the said right of way line 135 feet to the real point of beginning.

~~TAX CODE 141~~, OWNER: **as David L. & Mary Tapp of June 2007:**

Part of the Southwest Quarter of the Southwest Quarter of Section 26, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho, bounded and described as follows: Commencing at the Section corner common to Section 26,27,34, and 35, T3S R6E., Boise Meridian, Elmore County, Idaho and running thence South 89° 31' East 833.55 feet to a point, thence North at right-of-way angles to the last described line a distance of 40 feet to a point on the North right-of-way line of State Highway 51; the real point of beginning: running thence, North 0° 16' West 290 feet to a point; thence South 89° 31' East 150 feet to a point; thence South 0° 16' East 140 feet to a point; thence North 89° 31' West 135 feet to a point; Thence South 0° 16' East 150 feet to a point; thence North 89° 31' West 15 feet to the point of Beginning.

~~TAX CODE 124~~, OWNER: **Bryon D. Grubb as of June 2007:**

Commencing at a point S 89° 31' E 983.55 feet and N 0° 29' E 40 feet from the sec corner common to Sec. 26, 27,34, & 35, T3S, R6E., B.M.; thence N 0° 16' W 290 feet; thence S 89° 31' E 150 feet; thence S 0° 16' E 290 feet; thence N 89° 31' W 150 feet to the Point of Beginning. 1 acre more or less.

~~TAX CODE 131~~, OWNER: **William J. Van Handel as of June 2007:**

Commencing at the section corner common to Sections 26, 27, 34, and 35, Township 3 South, Range 6 East, B.M.; thence North 0°29' East 38.50 feet to a point; thence South 89° 31' East 834.05 feet to the Real Point of Beginning; thence North 0° 16' West 290.00 feet to a point; thence North 89° 31' West 300.00 feet to a point; thence South 0° 16' East 290.00 feet to a point; thence South 89° 31' East 300.00 feet to a point, the Real Point of Beginning. Containing 2.00 acres

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TAX CODE 132, OWNER: Rolling Stone Inc. as of June 2007

Commencing at the section corner common to sections 26, 27, 34 and 35, Twp. 3 South, range 6 East, B.M.; thence North 0° 29' East 38.5 Ft. to a point; thence South 89° 31' East 534.05 Ft. to the real point of beginning; thence North 0° 16' West 290.00 Ft. to a point; thence North 89° 31' West 504.05 Ft. to a point; thence South 0° 12' West 252.16 Ft. along the county right-of-way; thence curve left on a curve whose radius is 55.00 feet whose central angle is 71° 49' 28" whose long cord bears South 53° 36' 16" East 64.52 feet to a point of curve on highway right-of-way; thence South 89° 31' East 452.18 feet to the real point of beginning, containing 3.34 acres.

~~#~~
TAX CODE 133, OWNER: Anthony Pearson as of June 2007

Commencing at the section corner common to sections, 26, 27, 34 & 35, Twp. 3 South, Range 6 East, B.M.; thence North 0° 29' East 38.50 feet to a point; thence South 89° 31' East 30 feet to a point; thence North 0° 12' East 290 feet along the County right-of-way to the real P.O.B.; thence South 89° 31' East 208.70 feet to a point; thence North 0° 12' East 208.70 feet to a point; thence North 89° 31' West 208.70 feet to a point; thence South 0° 12' West 208.70 feet to the real P.O.B. Containing 1 acre.

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TAX CODE 67, OWNER: BVD LLC as of June 2007

A parcel of land lying in the NW ¼ of the NE ¼ of section 35, T3S, R6E, B.M., Mountain Home, Elmore County, Idaho, and more particularly described as follows:

Beginning at the Northeast corner of the said NE ¼ of Section 35: thence South 0° 12' 14" West 40.00 feet along the Easterly boundary of the said NE ¼ of Section 35, which is also the centerline of 5th West Street, to a point; thence North 89° 23' 09" West 1,396.49 feet along a line 40.00 feet Southerly of and parallel to the centerline of State Highway No. 51, Federal Aid Project No. S-3804(2), to a point also said point being the REAL POINT OF BEGINNING; thence continuing North 89° 23' 09" West 198.17 feet along a line 40.00 feet Southerly of and parallel to the said centerline of State Highway No. 51 to a point; thence South 0° 35' 21" West 200.34 feet to a point; thence South 89° 47' 46" East 218.16 feet to a point; thence North 0° 35' 21" East 179.28 feet to a point of curve; thence Northwesterly along a curve to the left 31.41 feet, said curve having a central angle of 89° 58' 30", a radius of 20.00 feet, tangents of 19.99 feet and a long cord of 28.28 feet bearing North 44° 23' 54" West to a point of tangent marking the REAL POINT OF BEGINNING.

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TECHNICAL SUPPORT

TAX CODE 68, OWNER: A to Z Lumber & Hardware Inc. as of June 2007:

A tract of land lying in the NW ¼ NE ¼ of Section 35, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho, more particularly described as follows:

Commencing at the Northeast corner of the NE ¼ of Section 35; thence South 0° 12' 14" West 40.00 feet along the Easterly boundary of Section 35 which is also the centerline of Fifth West Street, to a point; thence North 89° 23' 09" West 1,594.66 feet along a line 40.00 feet Southerly of and parallel to the centerline of State Highway No. 51, Federal Air Project No. S-3804 (2), to a point being the TRUE POINT OF BEGINNING; thence South 0° 35' 21" West 290.00 feet; thence North 89° 47' 46" West 373.55 feet; thence North 0° 35' 21" East 270.00 feet to a point of curve; thence 31.26 feet along a curve to the right with a central angle of 88° 88' 28", a radius of 20.00 feet and a tangent of 19.84 feet to a point on the line 40.00 feet Southerly of and parallel to the centerline of State Highway No. 51; thence South 89° 23' 09" East 353.71 feet to the TRUE POINT OF BEGINNING.

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TAX CODE 23, OWNER: Borgholthaus Price Investments as of June 2007

Beginning at the section corner common to Sections Twenty-five, Twenty-six, Thirty-five and Thirty-six, Township Three South, Range Six East, Boise Meridian; thence North 89° 23' 09" West, 1096.23 feet along the centerline of State Highway 51 to a point; thence South 0° 35' 21" West, 40.00 feet to a point on the south right-of-way line of State Highway 51, said point being the True Point of Beginning; thence South 0° 35' 21" West, 200.00 feet to a point on the east right-of-way line of Haskett Street; thence North 0° 35' 21" East, 280.07 feet along the said east right-of-way line to a point; thence along a curve to the right, to a point on the south right-of-way line of State Highway 51, said curve having a radius of 20.00 feet, a length of 31.42 feet, a long cord distance of 28.28 feet and a long cord bearing of North 45° 36' 06" East; thence South 89° 23' 09" East, 180.00 feet along the said south right-of-way line to a point, said point being the True Point of Beginning. Contains 1.375 Acres, more or less. Bearings based on Sunrise Park No. 3 Subdivision Plat.

RECEIVED

JAN 07 2008

TECHNICAL SUPPORT

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TAX CODE 94, OWNER: Barry & Phyllis Peterson as of June 2007:

A parcel of land lying in the SW1/4 NE1/4 Section 35, Township 3 South, Range 6 East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Commencing at the Brass Cap marking the corner common to Sections 36,35,26, and 25, Township 3 South, Range 6 East, B.M., Elmore County, Idaho; thence North 89° 24' 39" West 2660.65 feet to the Brass Cap marking the ¼ corner common to said Sections 26 and 35; thence South 0° 07' 07" East 2020.00 feet along the west line of the NE ¼, said Section 35 to an iron pin with aluminum cap, said point being the REAL POINT OF BEGINNING;

Thence along the following courses and distances to iron pins:

North 89° 52' 53" East 640.10 feet to an iron pin on the west boundary of Quail Run Subdivision No. 1, records of the Elmore County Recorder, Mountain Home, Idaho; thence south 0° 35' 21" West 62.03 feet along said line to the Southwest corner of said subdivision; thence North 89° 24' 39" West 10.00 feet to an iron pin marking the Northwest corner of rolling Hills Subdivision No. 1, records of the Elmore county Recorder, mountain Home, Idaho; thence South 0° 35' 21" West 152.00 feet along the west boundary of said Rolling Hills Subdivision No. 1; thence South 89° 52' 53" West 627.46 feet to said west line of the NE ¼ of Section 35; thence North 0° 07' 07" West 213.89 feet to the REAL POINT OF BEGINNING.

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TAX CODE 31, OWNER: Reese Real Estate & Investment as of June 2007

A part of the Northeast Quarter of the Northeast Quarter of Section Thirty-five, Township Three South, range Six East of the Boise Meridian in Elmore county, Idaho, more particularly described to-wit:

Commencing at the Northeast corner of said Section Thirty-five; thence South 0° 12' 14" West 40.00 feet, along the East line of the said Northeast Quarter of the Northeast Quarter; thence 89° 23' 09" West 600.00 feet, to the INITIAL POINT of this description; thence South 0° 12' 14" West 250.92 feet, parallel with the said East line; thence North 89° 24' 39" West 198.05 feet, parallel with the North line of the said Northeast Quarter of the Northeast Quarter; thence North 0° 35' 21" East 251.0 feet; thence South 89° 23' 09" East 196.50 feet, along the South line of State Highway 51, to the INITIAL POINT of this description. This tract contains 1.135 acres, more or less.

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TECHNICAL SUPPORT

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TAX CODE 70, OWNER: McDonald's Corporation as of June 2007

All that certain real property situate in the City of Mountain Home, County of Elmore, State of Idaho, being a portion of the Northeast Quarter of the Northeast Quarter of Section 35, Township 3 South, Range 6 East, Boise Meridian, and more particularly described as follows:

Commencing at the Northeast corner of said Section 35, said point lies South 89° 24' 39" East, 266.68 feet from the north quarter corner of said Section 35; thence North 89° 23' 09" West, 796.23 feet along the centerline of State Highway 51; thence South 00° 35' 21" West, 40.00 feet to a point on the South right-of-way line of State Highway 51; the TRUE POINT OF BEGINNING; thence from said TRUE POINT OF BEGINNING South 00° 35' 21" West, 265.00 feet; thence North 89° 23' 09" West, 141.00 feet; thence North 00° 35' 21" East, 265.00 feet to a point on the South right-of-way line of State Highway 51; thence South 89° 23' 09" East, 141.00 feet, to the TRUE POINT OF BEGINNING.

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TAX CODE 101, OWNER: Shawn Powers as of June 2007

A parcel of land lying in a portion of the NE ¼ of Section 35, Township 3 South Range 6 East, Boise Meridian, Elmore County, Idaho and being more particularly described as follows:

Commencing at a point marking the corner common to Section 25, 26, 35 and 36; thence South 0° 12' 14" West 848.80 feet along the east line of the said NE ¼ of Section 35 to a point; thence North 89° 47' 46" West 340.00 feet along the north right of way line of 8th South St. to a point, said point being the REAL POINT OF BEGINNING: thence along said right-of-way line the following courses and distances:

North 89° 47' 46" West 171.88 feet; thence North 88° 57' 11" West 91.72 feet; thence leaving said right-of-way line North 0° 37' 34" East 411.65 feet; thence South 83° 30' 58" East 40.91 feet; thence South 89° 17' 04" East 219.92 feet (formerly South 89° 24' 39" East 220 feet); thence South 0° 12' 29" West 216.55 feet (formerly South 0° 12' 23" West 216.66 feet) thence South 0° 12' 14" West 190.00 feet to the point of beginning.

~~#~~
TAX CODE 79, OWNER: Barry & Phyllis Peterson as of June 2007:

A parcel of land being a portion of the Northeast one-Quarter of Section Thirty-five, Township Three South, Range Six East, Boise Meridian, Elmore County, Idaho, said parcel being more particularly described as follows:

Beginning at a Brass Cap, the North Quarter Corner of Section 35, T3S, R6E, B.M.; thence South 89° 24' 39" East 396.03 feet along the section line to a point, thence south 0° 06' 30" East 500.00 feet more or less, thence South 89° 23' 09" East 270.49 feet, thence N 0° 06' 30" West 302.73 feet more or less to a point, thence North 53° 16' 40" West 344.83 feet more or less, to the Point of Beginning.

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TECHNICAL SUPPORT

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~~TAX CODE 106~~, OWNER: Barry Peterson as of June 2007:

TECHNICAL SUPPORT

A parcel of land situated in the SW ¼, NE ¼, Section 35, Township 3 South Range 6 East, Boise Meridian, Elmore County, State of Idaho; said parcel being more particularly described as follows:

Commencing at the East ¼ Corner of Section 35, T3S, R6E., B.M.; (said corner having a corner perpetuation and filing record Inst. # 201548 at Elmore County); thence South 89° 59' 49" West 2646.20 feet along the South line of the Northeast ¼ of said Section 35 to the Southwest corner of the Northeast ¼ of said Section 35 (the center ¼ corner) the True Point of Beginning (said center ¼ corner being a brass cap monument and having a corner perpetuation and filing record Inst. # 166875 at Elmore County); Thence North 0° 37' 07" West 414.06 feet along the West line of the Northeast ¼ of said Section 35 to an iron pin with a plastic cap (stamped JJ Howard); thence North 89° 22' 15" East 627.59 feet to an iron pin with a plastic cap (stamped JJ Howard), said point also lying on the West boundary of rolling Hills Subdivision No.1, records of Elmore County Recorder, Mountain Home, Idaho; thence South 0° 04' 26" West 390.73 feet along said West boundary line to the southwest corner of said Rolling Hills Subdivision No.1; thence South 89° 57' 43" East 40.08 feet along the South line of said rolling Hills Subdivision No. 1 to an iron pin (JJ Howard) which is the Northwest corner of Rolling Hills Subdivision No. 2, records of Elmore County recorder, Mountain Home, Idaho; thence South 0° 25' 15" East 30.14 feet along the West line of said Rolling Hills Subdivision No. 2, to a point lying on the South line of the Northeast ¼ of said Section 35; thence South 89° 59' 49" West 662.88 feet along said South line to the Point of Beginning. Said described parcel contains 6.018 acres, more or less.

~~TAX CODE 10~~, OWNER: Barry J. & Phyllis M. Peterson as of June 2007:

Commencing at a point 2020 feet South of the N ¼ Corner Sec. 35, T.3S, R6E, B.M.; Thence West 1320 feet; thence South 620 feet; thence East 1320 feet; thence North 620 feet to P.O.B.

~~TAX CODE 3~~, OWNER: Chester C. Kerstein as of June 2007:

A tract of land situated in Sec. 35-3S-6E, commencing at the ¼ corner, between and common to Sec. 26-35 T3S,R6E, running south along N and South centerline in said Sec. 35 a distance of 40 feet., to a point on South boundary line of public road and Highway named and known as State Hi-way No. 51, being the real point of beginning then South along the North and South center-line in said Sec. 35 a distance of 1980 feet then East at right angles to said North and South centerline 396 feet, then North and Parallel with said North and South center-line 1980 feet, to South boundary of said State Highway No.51, then West along South boundary of said State Highway No.51 a distance of 396 feet to point of beginning. Containing 18 acres more or less: Excepting and Reserving all water and water rights for irrigation of said lands and ditches, etc.

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TAX CODE 9, OWNER: Chester C. Kerstein as of June 2007:

Commencing at a point 2020 feet South of the N ¼ corner Sec. 35, T3S, R6E;
Thence West 1320 feet; thence North 700 feet; thence East 1320 feet; thence South 700 feet to the P.O.B.

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TAX CODE 162, OWNER: Knight Veterinary Clinic as of June 2007

Commencing at the section corner common to sections 26, 27, 34 and 35, Township Three South, Range Six East, Boise Meridian, Elmore county, Idaho, and running thence North along the section line common to Sections 26 and 27, a distance of 825 feet; thence East at right angles to the last described line a distance of 30 feet, to THE REAL POINT OF BEGINNING;

Thence North parallel to said section line a distance of 150 feet to a point; thence East at right angles to said section line a distance of 290 feet to a point;

Thence south a distance of 150 feet, more or less, to a point; Thence West a distance of 290 feet, more or less, to the REAL POINT OF BEGINNING.

Containing one acre, more or less

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TAX CODE 155, OWNER: John R. & Karen C. Doherty, Robert S. & Annette P. Woolsey as of June 2007

Commencing at the section corner common to Sections 26, 27, 34 and 35, Township 3 South, Range 6 East, Boise Meridian, Elmore county, Idaho and running thence North along the section line common to sections 26 and 27, a distance of 538.70 feet; thence East at right angles to the last described line a distance of 30 feet to the REAL POINT OF BEGINNING:

Thence North and parallel to said section line a distance of 286.30 feet; thence East at right angles to said section a distance of 1,281.04 feet; thence south a distance of 495 feet; thence West a distance of 30 feet; thence North a distance of 2 feet; thence West a distance of 149.15 feet; thence South a distance of 2 feet; thence North 89° 31' West a distance of 893.19 feet; thence North 0° 12' East a distance of 208.70 feet; thence North 89° 31' West 208.70 feet to the point of beginning.

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TECHNICAL SUPPORT

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TAX CODE 183, OWNER: K.R. & Norma Reinschmidt as of June 2007

A parcel of land being a portion of Lots 17 & 18 of Garrett's Addition to Mountain Home, located in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 26, Township 3 South, Range 6 East, Boise Meridian; Mountain Home City, Elmore County, Idaho; more particularly described as follows:

Beginning at a Brass Cap marking the $\frac{1}{4}$ Corner common to Sections 26 and 35, T3S, R6E, B.M., also being the intersection of the centerline of State Highway 51 (Air-Base road) and the centerline of Jerome Street; thence along the center $\frac{1}{4}$ section line of said Section 26, also being the centerline of Jerome Street, N $0^{\circ} 04' 11''$ 40.00 feet to a point; thence, leaving said center $\frac{1}{4}$ section line and centerline of Jerome Street S $89^{\circ} 24' 39''$ E 27.00 feet to a Concrete Nail in the sidewalk, at the intersection of the north right-of-way line of State Highway 51 and the East right-of-way line of Jerome Street, also being the REAL POINT OF BEGINNING;

Thence along said right-of-way line of Jerome Street, N $0^{\circ} 04' 11''$ E 351.74 feet to an Iron Pin; thence, leaving said east right-of-way of Jerome Street S $89^{\circ} 24' 39''$ E 312.93 feet to an Iron Pin; thence S $0^{\circ} 04' 11''$ W 351.74 feet to an Iron Pin on the north right-of-way line of State Highway 51; thence along said north right-of-way line of State Highway 51, N $89^{\circ} 24' 39''$ W 312.93 feet to the REAL POINT OF BEGINNING.

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TAX CODE 160, OWNER: Helen Brandt McGrew Trust as of June 2007

Commencing at the section corner common to Secs. 25, 26, 35, 36, T3S, R6E, B.M., and running thence N $89^{\circ} 24' 39''$ W 2,660.68 feet along the south boundary of Sec 26, T3S, R6E, to the South quarter corner of said Sec. 26, thence running northerly 40 ft m/L along the center line of Jerome St. to a point on the north right-of-way line of State hi-way- 51, thence Easterly 25 ft. to the Real Point of Beginning. Thence northerly along the West line of Lots 17 & 18 365 ft. to a point. Thence S $89^{\circ} 24' 39''$ E 375.51 ft to a point, thence Southerly 365 M/L to a point on the north right-of-way line of State Hi-way 51; thence N $89^{\circ} 24' 39''$ W 375.51 ft. to the point of beginning.

3.15 acres

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TAX CODE 21, OWNER: Garet L. Garrett as of June 2007

Beginning at the Section Corner common to Sections Twenty-six, Thirty-five and Thirty-six, Township Three South, Range Six East, Boise Meridian, Elmore County, Idaho; thence South $0^{\circ} 12' 14''$ West, 40.00 feet to a point; thence North $89^{\circ} 24' 39''$ West 440.00 feet to a point, said point being the true point of beginning of the description: From the true point of beginning, thence South $0^{\circ} 12' 14''$ West, 200.00 feet to a point; thence North $89^{\circ} 24' 39''$ West 120.00 feet to a point; thence North $0^{\circ} 12' 14''$ East, 200.00 feet to a point; thence South $89^{\circ} 24' 39''$ East, 120.00 feet along the South Right of Way of Airbase Road (Idaho Hi-way 51) to a point, said point being the true point of beginning.

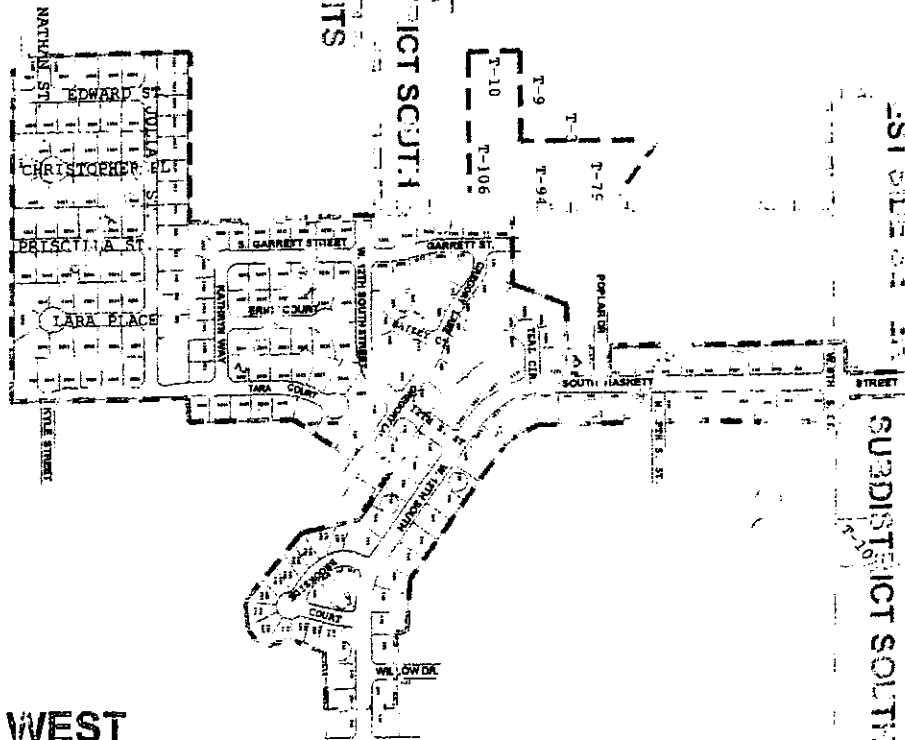
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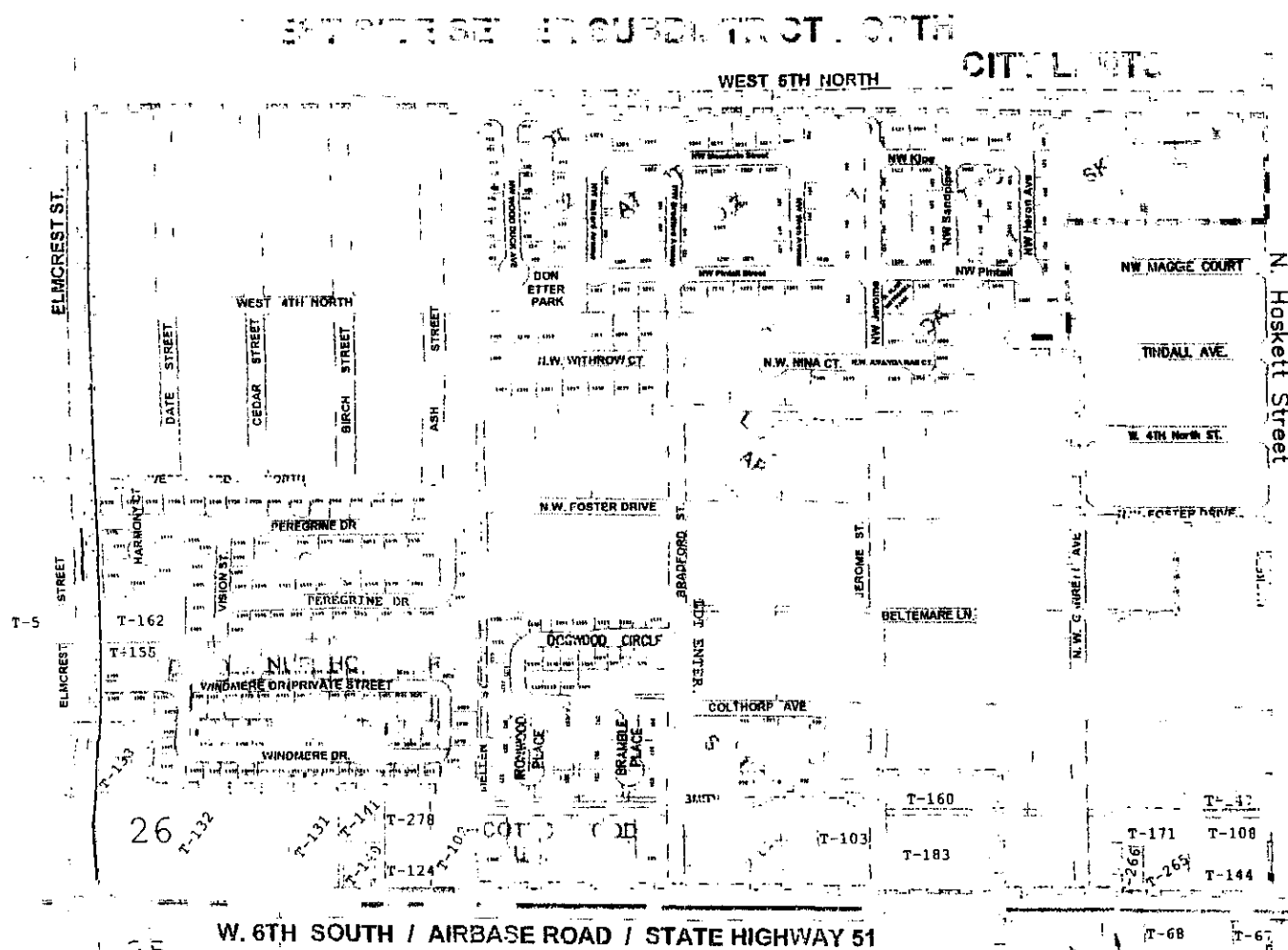
Exhibit: A

2700 Mountain View
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TECHNICAL SUPPORT



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